

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12715 of National Corporation For Housing Partnership, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Sub-section 3308.2 to allow two roof structures on the same roof in the R-5-C District at the premises 2001 - 15th Street, N.W., (Square 204, Lot 207).

HEARINGS DATES: August 23 and September 27, 1978

DECISION DATE: October 4, 1978

FINDINGS OF FACT:

1. The subject property is located on the east side of 15th Street, N.W. between U and V Streets and is known as 2001 15th Street, N.W. It is in an R-5-C District.

2. The subject property is improved with an apartment house for the elderly known as the Campbell Heights Apartments. It is a Shaw School Urban Renewal Project.

3. The improvement is a precast concrete system and includes two roof structures for stairway and elevator penthouses.

4. The roof structures were completed prior to the approval of the BZA either by mistake on the applicant's part or through erroneous information the applicant received from governmental agencies.

5. The applicant is now requesting a waiver of the Zoning Regulations requiring a single penthouse on the roof of a highrise structure.

6. The subject roof structures differ in their height from the roof level. The stairway structure is 8.67 feet high and the elevator structure is 17.34 feet high. Both measurements are taken from the roof slab to the highest point in the penthouse.

7. Because of the pre-cast nature of the structure and its support systems, it would be impracticable for the Board to require that a concrete or masonry enclosing wall be erected to shield the structure.

8. The roof structures are of the same architectural character, material and color as the main structure.

9. The roof structures are visible from the ground level only at a distance of one block from the structure.

10. Municipal Planning Office by report dated August 18, 1978 recommended that the application be granted on the grounds that the constructed roof structures operate to improve the internal circulation of the building; that they will not tend to affect adversely the use of the neighboring property and are in harmony with the intent and purpose of the Zoning Regulations. The Board so finds.

11. Advisory Neighborhood Commission 1B filed no recommendation on the application.

12. A neighborhood property owner objected to the design of the roof structures as ugly and disparate with the view from her rooftop.

CONCLUSIONS OF LAW AND OPINION:

The Board is always concerned where it is requested to decide an application where the subject matter of the application has proceeded to completion without the Board's consideration. Herein the Board finds that the two roof structures are completely constructed and the Board is requested to sanction the operation. The Board in this case does not find that the action was malicious. The Board concludes that an honest mistake was made but cautions this applicant and future applicants to be more diligent in the future.


It would be impracticable and unreasonable to order the structures to be brought into compliance because of the cost and operational difficulties. The Board is aware of the need for housing for the elderly and that the application was unopposed except as to the appearances of the structures. The Board is empowered under Sub-section 3308.2 of the Zoning Regulations to approve the application provided the intent and purpose of this section is not materially impaired thereby and the light and air of adjacent buildings are not affected adversely and this the Board so finds.

Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the CONDITION that the roof structures shall be enclosed with a light-weight material similar in color to the facade of the building with enclosure plans to be approved by the Municipal Planning Office.

VOTE: 5-0 (Walter B. Lewis, William F. McIntosh, Charles R. Norris
Chloethiel Woodard Smith and Leonard L. McCants to grant)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 18 OCT 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.